

CITY OF SAN JOSÉ, CALIFORNIA  
Department of Planning, Building and Code Enforcement  
801 North First Street, Room 400  
San José, California 95110-1795

Hearing Date/Agenda Number  
P.C. 08/14/02 Item No.

File Number  
PDC 01-086

Application Type  
Planned Development Rezoning

Council District  
5

Planning Area  
Alum Rock

Assessor's Parcel Number(s)  
601-37-026

## STAFF REPORT

### PROJECT DESCRIPTION

Completed by: Susan Walsh

Location: North side of Story Road, approximately 1,150 feet easterly of South White Road (14271 Story Road)

Gross Acreage: 10.62                      Net Acreage: 10.60                      Net Density: N/A

Existing Zoning: R-1-8 Residence                      Existing Use: University and charter high school

Proposed Zoning: A(PD) Planned Development                      Proposed Use: Expansion of University including the construction of up to 67,000 square feet of academic building to accommodate 450 students

### GENERAL PLAN

Completed by: SBW

Land Use/Transportation Diagram Designation  
Public Quasi Public

Project Conformance:  
☒ Yes    ☐ No  
☒ See Analysis and Recommendations

### SURROUNDING LAND USES AND ZONING

Completed by: SBW

North: Single-family detached residences                      County

East: Single-family detached residences                      County

South: Single-family detached residences                      R-1-8 Residence District

West: Single-family detached residences                      County

### ENVIRONMENTAL STATUS

Completed by: SBW

☐ Environmental Impact Report found complete  
☒ Negative Declaration adopted on:6/28/02

☐ Exempt  
☐ Environmental Review Incomplete

### FILE HISTORY

Completed by: SBW

Annexation Title: Story No.1-B

Date: May 6, 1960

### PLANNING DEPARTMENT RECOMMENDATIONS AND ACTION

☒ Approval  
☐ Approval with Conditions

Date: \_\_\_\_\_

Approved by: \_\_\_\_\_  
☐ Action  
☒ Recommendation

### APPLICANT/OWNER/DEVELOPER

National Hispanic University  
14271 Story Road  
San Jose, CA 95127

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**PUBLIC AGENCY COMMENTS RECEIVED**

Completed by: SBW

**Department of Public Works**

See attached memorandum dated July 2002 and Traffic Impact Analysis dated February 2002.

**Other Departments and Agencies**

See attached memoranda from the Valley Transportation Authority, Environmental Services, Police Department and Fire Department.

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**GENERAL CORRESPONDENCE**

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**ANALYSIS AND RECOMMENDATIONS**

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**BACKGROUND**

The applicant, the National Hispanic University, is requesting a Planned Development Rezoning from the R-1-8 Residence Zoning District to A (PD) Planned Development Zoning District to allow a post-secondary school and a charter high school with a total of up to 450 students and up to 60 faculty and staff. The Zoning would also allow construction of up to 93,932 square feet of academic buildings and supporting structures, including reuse or replacement of the existing building area on an approximately 10.62-gross-acre site. The Planned Development Rezoning is required because post secondary schools are not allowed in the R-1-8 Residence Zoning District and also because the project would exceed the 35 foot height limit of the R-1-8 Zone District.

The site is currently developed with several classroom buildings, an office, an auditorium, surface parking and a sports field. The facilities on site were originally developed for use as a public elementary school (the Marten School) in 1959. The National Hispanic University (NHU), a non-profit, private, post secondary school, took over use of the site in 1994. At that time no planning permits were obtained for the conversion of the elementary school to the post secondary school and no physical changes were made to the exterior of the buildings or the site. A charter high school also currently makes use of the site during the daytime hours. NHU courses are conducted primarily in the evenings and the two schools share the same facilities. The existing facilities accommodate about 250-300 students at any one time.

The project site is bounded to the north, east and west by single family detached residences located in an unincorporated County area. The lands to the south of the site, across Story Road, are also developed with single family detached residences and are zoned R-1-8 Residence Zone District within the City.

**Project Description**

The proposed zoning would legalize the existing NHU use and increase the allowed number of students at any time to 450. The Zoning would allow the site to be used for a post-secondary school, a charter high school and associated uses including day care for students, athletic facilities, a bookstore and a cafeteria. The total number of students, including both the charter school and the post-secondary school, would be limited to 450 at any one time and the total number of faculty and staff would be limited to 60 at any one time. In the implementation of this zoning the applicant plans the demolition of 11 smaller academic buildings, the construction of 67,000 square feet of new academic and academic support buildings and the re-use of 26,932 square feet of the existing academic buildings on the site. The total building area in this phase would not

exceed 93,932 square feet. The applicant has indicated that there will be a master plan developed soon for future improvements to the campus, however they do not expect that their master plan would involve increasing the number of students above the 450 provided for in this phase.

The new main academic building would house classrooms, labs, a library and student services and administrative offices. Existing buildings would house a student bookstore, additional classrooms, general administration and an auditorium. A large, new central plaza would be built at the rear of the main building, to be used as a central commons and for graduation ceremonies. Behind the plaza, an existing open space area would be maintained as an open space/recreation area and as a large sports field for soccer and baseball. Two hundred and ten (210) parking spaces would be provided in surface parking areas dispersed around the site.

The applicant currently conducts classes only during weekdays. The majority of classes would typically be held during the day and in the evening (from 5PM to 11PM) Monday through Thursday.

Access to the facility is provided from a semi-circular driveway with a small parking lot on Story Road in front of the main campus building, and from a secondary driveway located near the westerly property line. The latter provides direct access to a parking lot behind the main campus area. Story Road is an east-west arterial roadway, which varies from a two-lane roadway in front of the school to a four-lane roadway westerly towards South White Road. There is an emergency access gate planned at the northerly property line of the site at Dale Drive.

## **GENERAL PLAN CONFORMANCE**

The proposed rezoning for a post secondary school use is consistent with the San José 2020 General Plan Land Use/Transportation Diagram designation of Public Quasi Public.

## **ENVIRONMENTAL REVIEW**

The Director of Planning adopted a Mitigated Negative Declaration for the project on June 28, 2002. Mitigation measures have been included in the project to reduce any potential impacts to a less than significant level. Potential traffic impact is the primary environmental issue.

An independent traffic report was prepared for the project, which analyzed 14 signalized intersections. The report concluded that the project would result in a net increase of 352 trips (209 inbound and 143 outbound) during the AM peak hour and 264 trips (143 inbound and 121 outbound) during the PM peak hour. This number of trips is considered to be less than significant with the traffic mitigation included in the project. The required traffic mitigation for the project would provide for the construction of a second westbound left turn lane at Capitol Expressway and Story Road, and lengthening of the westbound left turn lane at White Road and Story Road. The project conforms to the Transportation Level of Service Policy with the inclusion of the traffic mitigation measures.

## **ANALYSIS**

The key issues analyzed as part of this review are (1) compatibility with adjacent land uses and (2) compliance with the Commercial Design Guidelines for institutional uses.

### Compatibility with Adjacent Land Uses

As noted above, the proposed use would occupy an existing facility that was originally constructed for use as a public elementary school. NHU has been operating as a private non-profit post secondary university at this site since 1994, and since that time the City has not received any complaints from the neighborhood regarding this use. The proposed project includes the construction of new buildings, the demolition of some existing buildings and the provision of new landscape and parking areas that would result in an overall improvement to the site.

There has been no evidence of any operational problems or neighborhood interface problems with the operation of the existing NHU facility. All potential noise, traffic and other operational impacts have been determined to be less than significant with the mitigation that is included in the project design. The project would provide adequate parking per the requirements of the Zoning Ordinance. Two hundred and ten spaces are provided to meet the required one parking space for each of the 60 staff members and one for every three of the 450 students. Traffic and parking demand should be somewhat alleviated by a documented high transit use among NHU students. The NHU administration indicates that a large percentage of their currently enrolled students commute by transit rather than by private cars. There is a direct bus service to the site (Route 25) which provides service between east San Jose and De Anza College via Story Road, with 10-30 minute headways.

The proposed building is centrally located on the site and well set back from the street and all adjacent residential properties, so that there will be minimal shading and loss of views to the foothills for the surrounding properties. All development on the site would be set back at least 10 feet from adjacent residential properties and will also be set back 1.5 feet for each foot of building height. A 7-foot screen wall will be provided at the back of the peripheral 10-foot landscape setback. Additionally, no buildings will be allowed in open space and parking areas (labeled "C", "E", and "F" on the General Development Plan) that constitute almost the entire site area adjacent to residential uses. Because the applicant proposes to continue use of an existing facility located adjacent to the southwesterly property line, this area (labeled "D" on the General Development Plan) will include buildings in proximity to the adjacent residential properties.

### Consistency with Commercial Design Guidelines

As proposed, the building has been carefully designed and located in the center of the site to exceed the setback requirements of the Commercial Design Guidelines. As discussed above, the project has been designed to achieve good neighborhood compatibility, which is one of the major design criteria of the Commercial Design Guidelines for Institutional uses.

The main campus building would be a contemporary Spanish design with an arched roofline, small pane windows, covered window screens and a landscaped overhead trellis at the front entry plaza. The building design includes rich architectural detail and varied materials to blend in with the residential fabric of the area. The applicant proposed to use a mixture of stone, tile, stucco, wood and metal as building materials and to include original artwork placed into some of the building walls.

The project will be a significant improvement to the existing school campus, which remains in an unchanged condition as when originally built as a public elementary school in 1959. The proposed expansion and modernization of the university campus would provide attractive new buildings, a large trellis covered entry plaza, maintenance of a mature Cedar tree (30" diameter) at the front of the site, and significantly improved landscaping around the entire site. With these improvements, the project will be a

significant improvement to the neighborhood. Specific design details will be finalized at the Planned Development Permit stage.

## **PUBLIC OUTREACH**

A community meeting was held on May 23, 2002 at which approximately 150 residents were in attendance. The primary issue raised by the public was concern of a potential traffic impact. Some other concerns included hours of operation, shading and blockage of views to the foothills and the adequacy of parking provided on-site. The project has been designed to respond to these issues. There were also many people who spoke in favor of the project.

This project is also in the East Valley/680 Strong Neighborhood Initiative (SNI) area and has been endorsed by the SNI neighborhood committee. Their primary concerns were traffic and parking and these issues have been resolved in the project design to their satisfaction through the measures discussed above.

Notices for the public hearing for this project were distributed to the owners and tenants of all properties located within 1,000 feet of the project site. Staff has been available to discuss the project with members of the public.

## **CONCLUSION**

The project would be a good adaptive re-use of the existing elementary school and would be compatible with adjacent uses. The proposed non-profit university and charter high school will provide an important community service, and substantial improvement to the existing site.

## **RECOMMENDATION**

Planning staff recommends approval of the proposed Planned Development Rezoning for the following reasons:

1. The project conforms to the General Plan Land Use/Transportation Diagram designation of Public Quasi Public.
2. The project conforms to the applicable development standards prescribed by the Zoning Ordinance.
3. The project conforms to the Commercial Design Guidelines.
4. The proposed project will be compatible with the surrounding neighborhood.

C: Heather Young, CAS Architects, 1023 Shoreline Blvd., Mt. View, CA, 94043

Attachments:

Negative Declaration, Location Map, Recommended Project Conditions, Project Memo(s), and Plan set

SBW:ll/207-02